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MEMBER N.Y. AND CONN. BARS

June 13, 2012

Via Telefax (914) 390-4278

Chambers of Hon. Cathy Seibel
United States District Judge
The Hon. Charles L. Brieant Jr.
Federal Building and Courthouse
300 Quarropas Street
White Plains, New York 10601-4150

Re: *Schlenger v. IBM Corporation Inc. and*
Gary Lipson
No. 09-CV-3986 (CS)

Dear Judge Seibel:

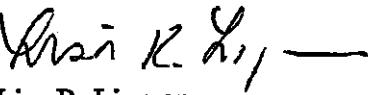
Gail I. Auster, Esq. and I represent the Plaintiff in the above-referenced case.

Defendants' counsel's letter to you of today's date is but a further example of how counsel chooses to misconstrue, misread, and malign opposing counsel while ignoring the simple and legitimate questions asked.

Plaintiff remains ready to return the Laptop in issue, and seeks assurance from defendants that defendants will take the steps necessary to "preserve the contents of the computer, including access information and 'deleted' documents that may remain" by having a forensically acceptable hard drive created by a qualified forensic provider. This is what Plaintiff understands the Order to mean, based on consultation with her forensic expert. Defendants' counsel refuses to acknowledge that this is what the Order means, much less assure Plaintiff that it will do so. There is no "self-help" here but an honest effort to get an honest assurance that the documents on the Laptop will not be destroyed.

We trust that Your Honor is perfectly able to read the letters provided to you concerning this dispute, and will provide clarification and guidance.

Respectfully,


Lisa R. Lipman

cc: Gail I. Auster, Esq.
Allan S. Bloom, Esq.

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FACSIMILE COVER SHEET

DATE: 6/13/2012

TO: Hon. Cathy Seibel

COMPANY/FIRM NAME: U.S.D.C., S.D.N.Y.

TELEFAX NUMBER: (914) 390-4278

RE: *Schlenger v. IBM Corporation et al.*
09-CV-3986 (CS)

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 2

INSTRUCTIONS:

Letter to Judge Seibel of today's date responding to letter of today's date by Allan S. Bloom, Esq.

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